



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of **Bark r t al**

Application No. 09/837,539

Attorney Docket No. 1032-P02148US1

Filed: April 18, 2001

For: Medical Device with Shield Having a
Retractable Needle

Examiner: Marmor II, Charles

Group Art Unit: 3736

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MDC Investment Holdings, Inc. (hereinafter "Owner"), a Corporation, states that it is the assignee of the entire right, title, and interest in the patent application identified above by virtue of an assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel No.012398, Frame No.0827.

The Owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,398,743. The Owner hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


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The undersigned is an attorney or agent of record.

Respectfully submitted,

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